The Williams County Commission met in regular session this 2nd day of February, 2016 beginning at 8:00 AM in the Memorial Room of the Williams County Courthouse.

Chairman Montgomery called the meeting to order. Innis took roll call: Ramberg—here, Aberle—here, Hanson—yes, and Kalil—absent.

There being a quorum, Chairman Montgomery proceeded.

Ramberg moved Hanson seconded approval of the consent agenda with the addition of the 2016-2017 Federal Aid Project approval:

1. Abatements- 2014 Atlas Power Equipment LLC NWNES Section 33 T156 R101 Tyrone Township; 2016 Brenda Bruins Blind Exemption 1990 16X80 Medallion Mobile Home Lot 79 FM Parkway in the City of Williston; 2015 Church of Christ City of Williston Unplatted W 170’X660’ of Plot 11 in Brown Plat of SESE Section 11 Ex So 549’ of W 10'; 2014 E&M Services LLC Missouri Ridge Township Missouri Ridge Commercial Park L2 B2; 2015 Wayne Fischer 16X76 2014 Champion Mobile Home Lot 14 Prairie Rose Court In Unplatted City of Grenora; 2015 Gary Casper Tioga City Simons Addition L11 B7; 2015 Herbert Huntley etux City of Williston Unplatted Section 9 3.09 acre tract in S2SE (Parcel #B); 2015 Jason Ledahl Judson Township SENW NW Section 27 T154 R102; 2015 Eileen/Donald Luebke City of Williston Unplatted Section 25 T155 R101 330’X660’ in S2N2SW. Prorate of Assessment- 2015 Zion Free Lutheran Church of Tioga Sublot 6 SWSE Section 22 T157 R95 Tioga Township from 2,500 to 1,250. Escaped Assessments- 2015 New Hope Wesleyan Church L1, 2 Plus 24’ Vac ROW Ex W 24’ dedicated ROW from 3,513,500 to 3,635,100; 2015 First Lutheran Church City of Williston L5 thru 16 plus 20’ Adj Vac Alley B43 Bruegger’s 8th Addition from 6,169,600 to 6,194,900; 2015 Brigham Oil & Gas LP Sublot 3 in W2SW Section 35 T154 R102 Judson Township from 0 to 8,506; and 2015 Bethel Lutheran Foundation Ext 222’ of Pettis Addition & W 14’4” Vac 3rd Ave W in the City of Williston from 219,500 to 685,055.

2. IT Training- $19,736.25 for 5 staff members in various locations.
3. January 5th and 19th minutes.
4. 1% Public Safety Grant Awards for: Epping Fire Department for $325,000.00; Williams County Sheriff’s Department- $17,983.80; Grenora Ambulance- $35,185.00; Williams County Emergency Management- $100,000.00. (Copy included in minutes)
5. 2016-2017 Federal Aid Projects. (Copy included in minutes)

Motion carried.

Chairman Montgomery commented about the IT Training that was approved today, that all Department Heads need to review all their training and costs to see if the sessions can be done online due to the decline in the oil activity.

Discussion was held on the 1% Public Safety grants. The economy is in a down turn due to the decrease in the oil activity. Chairman Montgomery stated that he wants to put aside 20% of the money received monthly to a rainy day fund and another 20% to the Jail expansion. Ramberg stated that the Committee is very well aware of the economy and all applicants put together a 3-5 year plan before applying for grants. Chairman Montgomery stated that when this was put up to the voter’s, part of the money was to be given to the Jail expansion. All of the money was put into the grants for the first year to catch up.
Ramberg stated that the Commission needs to visit with the Committee. Hanson stated that the Commission gave the power to the Committee to spend the money with the Commission ratifying their actions awarding the requests. Chairman Montgomery said that the final decision on anything lies with the Commission. Ramberg said that the Committee can put money into a rainy day fund themselves. The final discussion was to ask the Committee to come to the February 16th meeting. Sheriff Busching stated that money was to go for the Jail expansion, but not a set amount.

Dennis Nelson, County Highway Superintendent reported that at the annual oil meeting with the industry discussion will be held on the changes in the permit system on ton/mile. Nelson will notify the Commission at the next meeting as to when the meeting will be scheduled. Aberle stated that we should try the ton/mile for a one year trial basis.

Nelson asked the Commission as to their practice/protocol on road closures for projects. His understanding is that roads will not be closed unless absolutely necessary and if so do it in sections, not the entire road. Hanson moved Aberle seconded concurring with Nelson’s understanding of road closures. Motion carried.

Nelson gave a project update. He will be holding off on projects until he sees where we are at for funding. Some projects will have to wait until next year to see if funding is available at that time. Projects will be shelf ready in case funding is made available. There will be a couple of projects done this year, but we are just on the edge of funding them.

Nelson reported that the open house is set and ready for the 16th of February, as well as the Commission meeting. His staff will be giving tours of the complex from 11-3.

Nelson reported that there will be bids received in March for equipment.

Nelson reported on the meeting with NDDOT, City officials, and Commission. The east by-pass project is not moving forward at this time due to funding. They are asking for support from the Commission to continue with the environmental study. The NDDOT is not picking out a route at this time, but it will be within a four mile corridor. The environmental study has a price tag of $5M so before the State commits to continuing they want support from the City/County that they are not wasting the money. Public hearing will be held and NDDOT will take all comments into consideration before any route is chosen. It will take one full year of the NDDOT’s budget to do this project, but they are not looking at doing it at any time soon. Grant Levi, NDDOT asked that the City/County needs to make a decision whether to support the continued environmental study to someday move forward with the project. Hanson moved Aberle seconded for support of the NDDOT to continue with the environmental study. Roll call vote: Ramberg-yes, Aberle-yes, Montgomery-yes, and Hanson-yes. Motion carried.

Planning/Zoning items presented.

Conditional use permit presented for Paul Hladky/Hladky Properties (Josiah Moerkerke present) for a caretaker unit for evening security of the yard and warehouse. Caretakers will be rotating on 14 hour shifts. Moerkerke stated that they are requesting this to help detour theft and housing is not an issue as they already have employee housing. The Sheriff’s Department will be notified if the motion detectors/alarms go off, but they are approximately 10 minutes out of town. Currently there are 11 drilling rigs and equipment not in use by Cyclone Drilling. Joe Kern also stated that they have had theft problems already with missing equipment from the buildings. He will be on site and will be the other caretaker’s relief person. They are currently putting in a camera system. They will be housed in a 14X70 trailer, where they will monitor the cameras. Logan was asked if we had a definition within our
guidelines for a caretaker unit and he stated it was for the protection of entity or facilities and is not specific as to whether it is one person or a family unit. Lois Scheele in the audience voiced her objections as she was denied for a caretaker unit and her facility is right next door to this facility. If they are approved she is requesting approval for her request that was denied. Hanson moved Aberle seconded to follow the recommendation of Planning/Zoning of denial located in the NE4SE4 Section 26 T154 R103 Round Prairie Township. (Paul Hladky/Hladky Properties)

Zone change to urban commercial, conditional use permit and Comprehensive Plan Amendment presented for Gary/Linda Faye Raan/Nathan H Raan (present) for a trucking business, truck parking (minimum of 4 trucks), office space, and shop on 10 acres. Ramberg moved Aberle seconded to follow the recommendation of Planning/Zoning of approval located in the SW4E2SW4 Section 5 T156 R95 Pleasant Valley Township with conditions to modify application request for approval of zone change to light industrial instead of urban commercial; conditional use permit is not required; building permits and inspections are required for all structures on site; property shall be inspected by Williams County Fire Marshall; grading plan, drainage plan, stormwater management plan shall be submitted to the County as part of Building Permit Application; approval and recording of a minor subdivision; provide and maintain trackout pad on all approaches; and adhere to NDCC and Williams County Ordinance. Motion carried. (Gary/Linda Faye Raan/Nathan H Raan)

Zone change to urban residential to create a four lot subdivision to bring the existing single family dwellings on the property into compliance; and a variance for reduction of minimum lot width requirement (required 75 feet, proposed minimum approximately 45 feet) for Mike Marcy (present). Three temporary trailer houses are already in place and on December 15, 2015 the applicant has received a Conditional Use Permit to keep the units until June 1, 2016. Hanson expressed concerns with how it was platted out and whether or not the lots will be sold in the future all lots should be made bigger. It was explained that the reason for the lot design was to not encroach on Marcy’s house and not to disturb what is already there. Planning/Zoning told them 2 acre lots. If Marcy wants to build a garage there would be room on the current design. Ramberg stated that it looks better, but we can’t limit approval due to the design. If the design can be one acre and not two it would be different, but you still have to deal with the current placement of structures currently there. Hanson moved Aberle seconded to follow the recommendation of Planning/Zoning of approval located as Sublot 1 in SW4SE4 Section 19 T155 R101 Missouri Ridge Township with conditions to adhere to NDCC and Williams County Ordinance; adhere to Williams County Water Board requirements; verify location of garage along north line; all buildings and structures should comply with setback requirements and northerly lot with garage should be included in rezoning and platting; additional approaches along County Road #6 should not be allowed; all existing and proposed structures should comply with setback requirements; building permits and inspections are required for all structures on site; property shall be inspected by Williams County Fire Marshall; grading plan, drainage plan, stormwater management plan shall be submitted to the County; and approval and recording of a re-subdivision. Motion carried. (Mike Marcy)

Helen Askim, HR Director presented her open position report. Askim explained the new format of her report shows where the positions that were approved, budgeted, unfilled and not currently recruiting. Chairman Montgomery asked Nelson to explain the positions that he is now requesting to fill. Nelson explained the position and the need to be filled. Hanson moved Aberle seconded to proceed with the recruitment to fill the position. Motion carried. Discussion was held on the seasonal positions which will be changed to new types of position to conform to the Affordable Care Act Guidelines. There are some changes needed for the organization chart as expressed by Fran Bosch, Vector Control Director, which will be resolved between Bosch and Askim. Hanson moved Ramberg seconded approval of the pending seasonal employee hiring as presented. Motion carried. (Copy included in minutes)
Askim reported on the updating the Safety Plans and Training. The County needs to hire someone to complete this process. Askim spoke with Alan Billehus with Train ND to give a quote for the update and training. Training will consist of the Emergency Action Plan, which will be general enough to train everyone; Fire Training, and Hazardous Materials Training especially at the County Highway Complex. Costs for the training will be determined to the number of employees attending the sessions. Discussion was held on offering training to the State Employees and who will be paying for the training. Askim stated that she doesn’t have enough money in the Safety Budget to cover the costs which will run from $6,000.00 to $10,000.00. Chairman Montgomery stated that it’s all about safety of our employees and suggested the money come from the construction fund (116). Ramberg stated that as far as the State Employees attending the training the State needs to pay for the training. The State Employees can’t be left out of the training as they are part of the building. Askim will have Billehus contact Carolyn Probst with the State to see if they will cover their employees to attend the training. Aberle moved Hanson seconded for Askim to proceed. Motion carried. Askim stated that the employees at Social Services can attend the general training, but they have separate safety issues. Askim will speak with Holly Snellings to have a couple of her employees attend the training to see if it fits them and if not some other action may have to take place.

Discussion was held on putting dollar amounts on the open positions on Askim’s report if the Commission would like it on there. Chairman Montgomery stated that all hires need to be approved by the Commission and reminded that the Commission has zero tolerance of positions filled without their approval. Aberle responded that it is better for the County if we tighten up things now rather than having layoffs in January.

Chairman Montgomery stated that at the Department meeting, which Askim should relay that everyone needs to look at their travel budgets and see if training can be done on line versus traveling to the location. Ryan Stepan, IT Manager that his travel can’t all be done on line.

Mike Sizemore, Development Services Director reported that all of their vehicles are equipped with decals identifying their department.

Sizemore stated that Chris Nelson, Fire Marshall can possibly do some in house training like CPR on a County wide basis as he is highly trained.

Ramberg moved Aberle seconded the appointment of Paul Weyrauch to the Weather Modification Board. Motion carried.

There being no further business the meeting recessed at 9:13 AM.